



GOVERNMENT OF PUERTO RICO
DEPARTMENT OF STATE



November 14, 2022

Cristina Arenas Solis, Esq.
221 Ponce de León Avenue Piso 5
San Juan, PR 00917

SUBJECT MATTER

MARK

CLASS

FILING NUMBER

FILING DATE

APPLICANT

Office Action

FRIDA KAHLO

016

248065-16-0

May 12th, 2022

Frida Kahlo Corporation

To whom it may concern:

In order to proceed with the examination of the said mark Applicant must submit the following information:

- ☐ 1. Clearly state the goods and/or services in connection with the mark as used or intended to be used in commerce in Puerto Rico. This applies if the Applicant customized the selection of goods or services.
- ☐ 2. Provide a drawing of the mark as used or as intended to be used in commerce in Puerto Rico.
- ☐ 3. Provide a detailed description of the mark as used or as intended to be used in commerce in Puerto Rico.
- ☐ 4. Provide a specimen that shows the mark in connection with the goods or services identified in your application.
- ☐ 5. Applicant must disclaim those terms or components of the mark which are not susceptible of exclusive appropriation.
- ☐ 6. The registration for the applied mark is refused on the following grounds:
- ☒ 7. Other.

NAME OF AN INDIVIDUAL

The applied-for mark contains the name “FRIDA KAHLO” and appears to identify a particular living individual; however, the application does not include this named party’s written consent to registration of the name as a service mark. Written consent is required for registration of a mark containing a name, including a pseudonym, stage name or nickname, or signature, if the name or signature identifies a particular living individual. Therefore, applicant must clarify whether this name identifies a particular living individual and, if so, provide a written consent from this individual, as explained further below.

If the name or signature in the mark does not identify a particular living individual, then applicant must submit a statement that the name “FRIDA KAHLO” or the signature shown in the mark> does not identify a living individual.

If the name or signature in the mark does identify a particular living individual, then applicant must submit the following:

(1) A statement that the name “FRIDA KAHLO” identifies a living individual whose consent is of record. If the name represents that of a pseudonym, stage name, or nickname, applicant must include a statement that the fictitious and/or assumed name identifies the pseudonym, stage name and/or nickname of [specify actual name, for example, John Hopkins], a living individual whose consent is of record; and

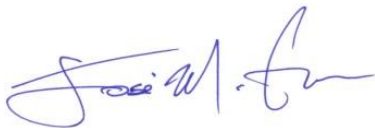
(2) A written consent, personally signed by the individual whose name or signature appears in the mark, authorizing applicant to register the name, pseudonym, stage name, nickname, or signature as a goods mark with the PRTTO (e.g., “I, John Hopkins (*example*) consent to the use and registration of my name “FRIDA KAHLO” as a trademark and/or goods mark with the PRTTO”).

Failure to respond to this inquiry is enough basis for refusing registration.

According to Rule 27 of Puerto Rico’s Trademark Rules of Procedure, if the PRTTO does not receive a response to the abovementioned remarks within ninety (90) days, the Application shall be considered abandoned.

Note: Please refer to the name of the Examining Attorney. The office action response shall be filed online at <https://prtmfiling.f1hst.com/>. Please select “RESPUESTA A NOTIFICACION” from the dropdown menu. The cost of said filing is \$15.00. If any questions should arise, you can contact the Examining Attorney at jtorres@estado.pr.gov or marcas@estado.gobierno.pr

Cordially,

A handwritten signature in blue ink, appearing to read "José M. Torres".

José M. Torres, Esq.
Examining Attorney
Puerto Rico Trademark Office